



May 14, 2009

Ms. Dolores Brown  
Chief, Office of Environmental Compliance  
Department of Water Resources  
PO Box 942836  
Sacramento, CA 94236

Sent via email to [BDCPcomments@water.ca.gov](mailto:BDCPcomments@water.ca.gov)

**RE: Comments Regarding EIR/EIS for Bay Delta Conservation Plan**

Dear Ms. Brown:

On behalf of the California Waterfowl Association (CWA), I am writing to provide our input during the scoping period on the proposed joint Environmental Impact Report (EIR)/Environmental Impact Statement (EIS) for the Bay Delta Conservation Plan (BDCP). CWA is a charitable 501(c)(3) organization dedicated to conserving California's waterfowl, wetlands, and outdoor heritage, representing the interests of over 21,000 members statewide. We have done extensive wetland restoration work within the Central Valley, including projects within the Delta planning area.

CWA is founding partner of the Central Valley Joint Venture (CVJV) a partnership of 21 public and private entities, whose mission is to work collaboratively through diverse partnerships to protect, restore, and enhance wetlands and associated habitats for waterfowl. As a partner in CVJV, we helped develop and support the goals and objectives of their Implementation Plan, and agree with all the comments submitted previously by them regarding the EIS/EIR for the BDCP.

California has lost more than 95% of its historic wetlands, largely due to urbanization, flood control and agriculture. As a result, many species have declined from historic levels, and are increasingly dependent on fewer wetlands. Despite these tremendous habitat losses, California arguably remains the most important wintering area for waterfowl and other waterbirds in the Pacific Flyway. Avian species from the north, some as far as Alaska and the Canadian Arctic, rely on our wetlands for nutritional and other needs while visiting during the winter. In addition, many resident bird species nest within or near local wetland habitats.

The San Francisco Bay-Delta is an important region for wintering and breeding waterfowl. However, it has been described as an ecosystem in a state of collapse. While the ecosystem still contains an abundance of fish and wildlife, waterfowl populations are but a fraction of those documented historically. Creating a Delta that is better for

desirable fish and wildlife while providing the needs of most Californians is not simple, and previous attempts have not been successful. We are encouraged by the recent efforts stimulated by Delta Vision and BDCP, and urge the planners to insure the effort is comprehensive, based on sound science, and restoration and management remain truly adaptive.

CWA and other CVJV partners have invested considerable time and resources in the Delta proper, as well as the Yolo Basin, Suisun Marsh, and Cosumnes River. As a result of these efforts, the habitat in the Delta region, while considered degraded for native fish, has actually become considerably more hospitable to avian species. In the Delta region, the CVJV has protected almost 5000 acres and restored almost 9000 acres of wetland habitat. In addition, almost 40,000 acres of agricultural land are flooded annually in the Delta. However these accomplishments are still far below the CVJV goals for the Delta region. These goals are primarily based on the nutritional needs of migratory birds wintering in the Central Valley, of which the Delta provides an important, but yet to be fully achieved, component. In addition to biological goals and habitat objectives, the water needed to maintain and manage wetlands are specifically mentioned in the CVJV Implementation Plan.

Consequently, we strongly support additional wetland restoration in the Delta. However, as a general principal, we caution planners to fully recognize and protect the existing ecological values of the region. We believe that there is the potential to reverse much of the wetland benefit we have painstakingly accomplished (and at great public and private expense) unless conservation measures promoted are done in a manner sensitive to needs of the entire ecosystem. The potential for restoring ecological conditions favorable for native fish species is great, but should be additive to, rather than at the expense of, existing avian and other terrestrial values.

Therefore, it is important that the BDCP EIR/EIS consider the goals and objectives of the CVJV Implementation Plan. The BDCP could impact, either positively or negatively, both past accomplishments and future progress towards CVJV Plan goals. Furthermore, this analysis should address impacts on all the goals and objectives of the CVJV, not just those specific to the planning basins in the Delta region. This recommendation is justified, because the BDCP has far-reaching implications for water availability and management, and subsequent land use changes throughout the Sacramento and San Joaquin River watersheds.

At a minimum, the scope of the EIR/EIS should include the following components relative to the protecting existing and future non-aquatic ecological values of the Delta region:

- Analyze the potential change in food availability for waterfowl resulting from conversion of managed wetlands to tidal wetlands in the project area and Suisun Marsh.

- Analyze the potential change in breeding habitat for waterfowl resulting from the conversion of managed wetlands to tidal wetlands in the project area.
- Analyze the potential change in food availability and breeding habitat for waterfowl resulting from temporary loss (or changes in management) of managed wetlands and agriculture due to either prolonged floodplain inundation or conversion to floodplain habitat, especially in the Yolo Bypass. Considerable public and private funds have been invested to create managed wetlands with the capacity to create optimal habitat for waterfowl and other waterbirds.
- Analyze the potential changes in food availability for wetland-dependent migratory birds resulting from conversion of certain farmlands or change in agricultural crop type. Especially in the Yolo Bypass, where proposed actions for fish habitat restoration may preclude the ability to plant a rice crop.
- Analyze how improved water conveyance may simplify and perhaps increase transfers of water south of the Delta, potentially reducing the amount of rice farmed in the Sacramento Valley. More specifically, analyze:
  - The impacts of potentially reduced rice acreage on foraging habitat for wintering and breeding waterfowl
  - The impact of potentially reduced winter flooding of harvested ricefields on energy supply for waterfowl and other wildlife in the Sacramento Valley.
  - The impact of reduced spring/summer flooded rice habitat, and potentially increased fallow cropland, on breeding habitat for waterfowl and other birds.
  - The potential to establish cover crops to reduce erosion and provide habitat (e.g., nesting cover) for breeding waterfowl and other wildlife if cropland becomes idle/fallow as a result of BDCP actions,
- Analyze whether and to what extent the project alternatives are consistent with the existing legal requirements regarding refuge water supply requirements of the CVPIA.
- Analyze how water supply and reliability to wetlands and agricultural habitats for migratory birds will change within the BDCP planning region, and in other potentially impacted regions of the Central Valley, given the different project alternatives.
- Analyze the costs and benefits of various project alternatives associated with the socio-economic values of seasonal wetland-related recreational opportunities, like hunting, fishing, and birding. Waterfowl hunting is a tradition in managed wetlands proposed to be converted to tidal wetlands, especially in the Suisun Marsh.

Thank you for the opportunity to comment, and I look forward to reviewing the full EIR/EIS.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gregory S. Yarris', with a stylized, cursive script.

Gregory S. Yarris  
Director of Conservation Policy